

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Don Fanta and Marcia Fanta,	)	
	)	<b>ORDER</b>
Plaintiffs,	)	
	)	
vs.	)	
	)	Case No. 1:05-cv-015
FIMCO Industries and	)	
Bomgaars Supply, Inc.,	)	
	)	
Defendants.	)	

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On December 7, 2006, the parties filed a Stipulation with Prejudice and Without Costs. The court adopts the parties stipulation (Docket No. 85) and **ORDERS** that the above-entitled action be dismissed with prejudice and without costs to any of the parties. Let judgment be entered accordingly.

Dated this 7<sup>th</sup> day of December, 2006.

/s/ Charles S. Miller, Jr.  
Charles S. Miller, Jr.  
United States Magistrate Judge